

APPENDIX A:
AGENCY CORRESPONDENCE



COMMONWEALTH of VIRGINIA

Department of Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

W. Tayloe Murphy, Jr.
Secretary of Natural Resources

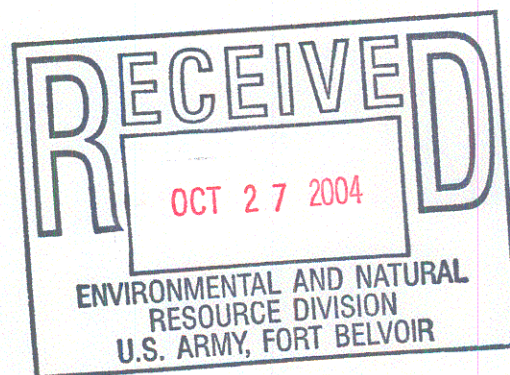
Kathleen S. Kilpatrick
Director

Tel: (804) 367-2323
Fax: (804) 367-2391
TDD: (804) 367-2386
www.dhr.state.va.us

October 21, 2004

Mr. Bill Sanders
Department of the Army
U.S. Army Garrison, Fort Belvoir
Directorate of Installation Support
9430 Jackson Loop, Suite 100
Fort Belvoir, Virginia 22060-5116

Re: Dredging of Dogue Creek Marina
Fort Belvoir
Fairfax, County
DHR File No. 2004-1536



Dear Mr. Sanders:

We have received your request for our review and comment of the above referenced project. In reviewing the materials submitted, we have determined that the dredging on the marina and access channel has little potential to impact archaeological resources since the same area has been previously dredged in the 1970s. We remain concerned, however, about the placement of the dredged materials and the impact that may have on archaeological sites. The two upland locations proposed for dumping are landforms considered moderate to high potential for prehistoric and historic archaeological resources. We request the opportunity to review the environmental assessments of these sites and to provide specific comment on the preferred placement alternative when determined. When submitting this additional information, please provide maps showing the precise location of the proposed dumping, current land use, degree of previous disturbance, and a description of the necessary improvements to the infrastructure to allow access to the sites.

If you have any questions about the Section 106 review process or our comments, please me at (804) 367-2323, Ext. 114.

Sincerely,

Marc Holma, Architectural Historian
Office of Review and Compliance

Administrative Services
10 Courthouse Avenue
Petersburg, VA 23803
Tel: (804) 863-1624
Fax: (804) 862-6196

Capital Region Office
2801 Kensington Ave.
Richmond, VA 23221
Tel: (804) 367-2323
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Portsmouth Region Office
612 Court Street, 3rd Floor
Portsmouth, VA 23704
Tel: (757) 396-6707
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Roanoke Region Office
1030 Penmar Ave., SE
Roanoke, VA 24013
Tel: (540) 857-7585
Fax: (540) 857-7588

Winchester Region Office
107 N. Kent Street, Suite 203
Winchester, VA 22601
Tel: (540) 722-3427
Fax: (540) 722-7535



Northern Virginia Regional Commission

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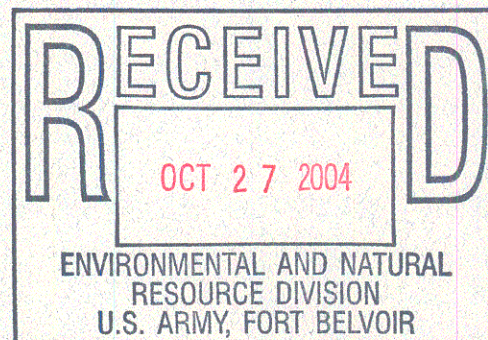
Town of Vienna

(vacancy)

(as of June 25, 2004)

October 21, 2004

Mr. Bill Sanders, Director
Department of the Army
U.S. Army Garrison, Fort Belvoir
Directorate of Public Works
9430 Jackson Loop, Suite 100
Fort Belvoir, Virginia 22060-5116



The Northern Virginia Regional Commission staff has reviewed the application referenced below and submits the following comments:

- Dredging will be occurring adjacent to waterways that have been designated by the Virginia Department of Environmental Quality as impaired for PCB contamination (fish tissue analysis). Sediment should continue to be tested for PCB contamination during the dredging process.
- Monitoring for PCB contaminants at upland placement sites should be conducted.

Thank you for this opportunity to participate in the intergovernmental review process.

Sincerely yours,

Katherine K. Mull
Senior Environmental Planner

Project: Dogue Creek Marina Dredging
Sponsor: DOD/U. S. Army Garrison, Fort Belvoir



FAIRFAX COUNTY PARK AUTHORITY

MEMORANDUM

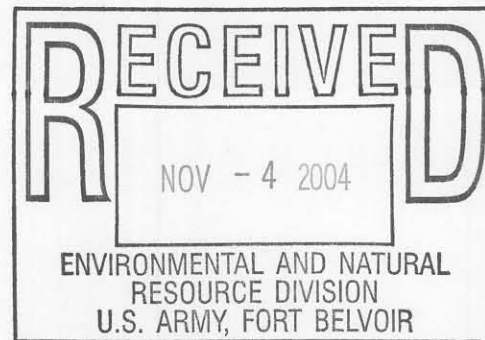


October 22, 2004

Bill Sanders, Director
U.S. Army Garrison, Fort Belvoir
Directorate of Public Works
9430 Jackson Loop, Suite 100
Fort Belvoir, Virginia 22060

RE: Dogue Creek Project

Mr. Sanders:



Thank you for the opportunity to comment on the proposed dredging of Dogue Creek. The Fairfax County Park Authority has reviewed the information provided by the Directorate of Public Work. This project will have no impact on Park Authority land or facilities land.

Sincerely,

Lynn S. Tadlock
Director, Planning and Development Division
Fairfax County Park Authority

cc: Cindy Messinger, Director, Resource Management Division
Sandy Stallman, Long Range Planner, Park Planning Branch

Sincerely,

Director, Planning and Development Division

The Fairfax County Park Authority has reviewed the information provided by the Directorate of Public Work. This project will have no impact on Park Authority land or facilities land. Thank you for the opportunity to comment on the proposed dredging of Dogue Creek.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 10009, Richmond, Virginia 23240

Fax (804) 698-4500 TDD (804) 698-4021

www.deq.state.va.us

W. Tayloe Murphy, Jr.
Secretary of Natural Resources

Robert G. Burnley
Director

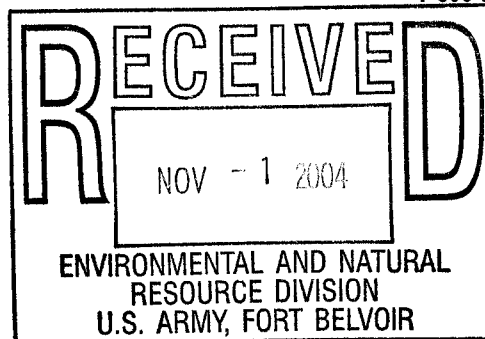
(804) 698-4000

1-800-592-5482

October 25, 2004

Mr. Bill Sanders
Director of Public Works
U.S. Army Garrison, Fort Belvoir
9430 Jackson Loop, Suite 100
Fort Belvoir, Virginia 22060

RE: Dogue Creek Marina Maintenance Dredging



Dear Mr. Sanders:

We have learned of your request for scoping comments from the Department of Environmental Quality's Solid Waste Program and would like to respond to you on behalf of the Department of Environmental Quality (DEQ). DEQ's Office of Environmental Impact Review (this Office) is responsible for coordinating Virginia's review of federal environmental documents prepared pursuant to the National Environmental Policy Act (NEPA) and responding to appropriate federal officials on behalf of the Commonwealth of Virginia. This Office is also the lead agency for Virginia's coordinated review of federal consistency determinations prepared pursuant to the Coastal Zone Management Act.

Environmental Review and Scoping

We are sharing the Notice with Virginia reviewing agencies, which are likely to include the following (note: starred (*) agencies administer one or more of the Enforceable Programs of the Virginia Coastal Resources Management Program; see "Federal Consistency...", below):

Department of Environmental Quality:
Office of Environmental Impact Review*
Northern Virginia Regional Office*
Water Division*
Air Division*
Waste Division
Department of Game and Inland Fisheries*

Mr. Bill Sanders

Page 2

Department of Conservation and Recreation:
 Division of Chesapeake Bay Local Assistance*
 Division of Soil and Water Conservation*
 Division of Planning and Recreation Resources*
Department of Health*
Marine Resources Commission*
Department of Historic Resources
Virginia Institute of Marine Science
Northern Virginia Regional Commission
Fairfax County.

In order to ensure an effective coordinated review of the Environmental Impact Statement and the consistency determination, we will require 18 copies of the document when it is published. While this Office does not participate in scoping efforts beyond the advice given herein, other agencies are free to provide scoping comments concerning the NEPA documents for the proposed project.

Federal Consistency under the Coastal Zone Management Act

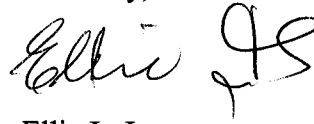
Pursuant to the Coastal Zone Management Act of 1972, as amended, federal activities affecting Virginia's coastal resources or coastal uses must be consistent with the Virginia Coastal Resources Management Program (VCP) (see section 307(c)(1) of the Act and the Federal Consistency Regulations, 15 CFR Part 930, sub-part C). The Army must provide a consistency determination which involves an analysis of the activities in light of the Enforceable Policies of the VCP (first enclosure), and a commitment to comply with the Enforceable Policies. In addition, we invite your attention to the Advisory Policies of the VCP (second enclosure). The federal consistency determination may be provided as part of the NEPA documentation or independently, depending on your agency's preference. Section 930.39 of the Federal Consistency Regulations and Virginia's Federal Consistency Information Package (see below) give content requirements for the consistency determination.

The Federal Consistency Information Package is available on DEQ's web site, <http://www.deq.state.va.us>. Select "Programs" on the left, then scroll to "Environmental Impact Review/Federal consistency." Select "federal consistency reviews" on the left. This gives you access to the document. If you have questions about the environmental review process or the federal consistency review process, please feel free to call me (telephone (804) 698-4325) or Charles Ellis of this Office (telephone (804) 698-4488).

Mr. Bill Sanders
Page 3

I hope this information is helpful to you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ellie L. Irons".

Ellie L. Irons
Program Manager
Office of Environmental Impact Review

Enclosures

cc: John D. Bowden, NVRO
Ellen Gilinsky, DEQ-Water
Kotur S. Narasimhan, DEQ-Air
Allen Brockman, DEQ-Waste
Shawn Davis, DEQ-Waste
Andrew K. Zadnik, DGIF
John R. Davy, DCR
Alan D. Weber, VDH
Tony Watkinson, MRC
Ethel R. Eaton, DHR
Alice R. T. Baird, DCR-DCBLA
Thomas A. Barnard, Jr., VIMS
G. Mark Gibb, NVRC
James P. Zook, Fairfax County



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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Secretary of Natural Resources

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Attachment 1

Enforceable Regulatory Programs comprising Virginia's Coastal Resources Management Program (VCP)

- a. **Fisheries Management** - The program stresses the conservation and enhancement of finfish and shellfish resources and the promotion of commercial and recreational fisheries to maximize food production and recreational opportunities. This program is administered by the Marine Resources Commission (VMRC); Virginia Code §28.2-200 to §28.2-713 and the Department of Game and Inland Fisheries (DGIF); Virginia Code §29.1-100 to §29.1-570.

The State Tributyltin (TBT) Regulatory Program has been added to the Fisheries Management program. The General Assembly amended the Virginia Pesticide Use and Application Act as it related to the possession, sale, or use of marine antifoulant paints containing TBT. The use of TBT in boat paint constitutes a serious threat to important marine animal species. The TBT program monitors boating activities and boat painting activities to ensure compliance with TBT regulations promulgated pursuant to the amendment. The VMRC, DGIF, and Virginia Department of Agriculture Consumer Services (VDACS) share enforcement responsibilities; Virginia Code §3.1-249.59 to §3.1-249.62.

- b. **Subaqueous Lands Management** - The management program for subaqueous lands establishes conditions for granting or denying permits to use state-owned bottomlands based on considerations of potential effects on marine and fisheries resources, tidal wetlands, adjacent or nearby properties, anticipated public and private benefits, and water quality standards established by the Department of Environmental Quality (DEQ). The program is administered by the Marine Resources Commission; Virginia Code §28.2-1200 to §28.2-1213.
- c. **Wetlands Management** - The purpose of the wetlands management program is to preserve wetlands, prevent their despoliation, and accommodate economic development in a manner consistent with wetlands preservation.
- (1) The tidal wetlands program is administered by the Marine Resources Commission; Virginia Code §28.2-1301 through §28.2-1320.
 - (2) The Virginia Water Protection Permit program administered by DEQ includes protection of wetlands --both tidal and non-tidal; Virginia Code §62.1-44.15:5 and Water Quality Certification pursuant to Section 401 of the Clean Water Act.

Attachment 1, page 2

- d. Dunes Management - Dune protection is carried out pursuant to The Coastal Primary Sand Dune Protection Act and is intended to prevent destruction or alteration of primary dunes. This program is administered by the Marine Resources Commission; Virginia Code §28.2-1400 through §28.2-1420.
- e. Non-point Source Pollution Control – (1) Virginia's Erosion and Sediment Control Law requires soil-disturbing projects to be designed to reduce soil erosion and to decrease inputs of chemical nutrients and sediments to the Chesapeake Bay, its tributaries, and other rivers and waters of the Commonwealth. This program is administered by the Department of Conservation and Recreation; Virginia Code §10.1-560 et seq.

(2) Coastal Lands Management is a state-local cooperative program administered by the DCR's Division of Chesapeake Bay Local Assistance and 84 localities in Tidewater (see i) Virginia; Virginia Code §10.1-2100 –10.1-2114 and 9 VAC10-20 et seq.
- f. Point Source Pollution Control - The point source program is administered by the State Water Control Board (DEQ) pursuant to Virginia Code §62.1-44.15. Point source pollution control is accomplished through the implementation of:
 - (1) the National Pollutant Discharge Elimination System (NPDES) permit program established pursuant to Section 402 of the federal Clean Water Act and administered in Virginia as the Virginia Pollutant Discharge Elimination System (VPDES) permit program.
 - (2) The Virginia Water Protection Permit (VWPP) program administered by DEQ; Virginia Code §62.1-44.15:5 and Water Quality Certification pursuant to Section 401 of the Clean Water Act.
- g. Shoreline Sanitation - The purpose of this program is to regulate the installation of septic tanks, set standards concerning soil types suitable for septic tanks, and specify minimum distances that tanks must be placed away from streams, rivers, and other waters of the Commonwealth. This program is administered by the Department of Health (Virginia Code §32.1-164 through §32.1-165).
- h. Air Pollution Control - The program implements the federal Clean Air Act to provide a legally enforceable State Implementation Plan for the attainment and maintenance of the National Ambient Air Quality Standards. This program is administered by the State Air Pollution Control Board (Virginia Code §10.1-1300 through §10.1-1320).
- (i) Coastal Lands Management is a state-local cooperative program administered by the DCR's Division of Chesapeake Bay Local Assistance and 84 localities in Tidewater, Virginia established pursuant to the Chesapeake Bay Preservation Act; Virginia Code §10.1-2100 –10.1-2114 and Chesapeake Bay Preservation Area Designation and Management Regulations; Virginia Administrative Code 9 VAC10-20 et seq.

Attachment 2

Advisory Policies for Geographic Areas of Particular Concern

- a. Coastal Natural Resource Areas - These areas are vital to estuarine and marine ecosystems and/or are of great importance to areas immediately inland of the shoreline. Such areas receive special attention from the Commonwealth because of their conservation, recreational, ecological, and aesthetic values. These areas are worthy of special consideration in any planning or resources management process and include the following resources:
 - a) Wetlands
 - b) Aquatic Spawning, Nursery, and Feeding Grounds
 - c) Coastal Primary Sand Dunes
 - d) Barrier Islands
 - e) Significant Wildlife Habitat Areas
 - f) Public Recreation Areas
 - g) Sand and Gravel Resources
 - h) Underwater Historic Sites.
- b. Coastal Natural Hazard Areas - This policy covers areas vulnerable to continuing and severe erosion and areas susceptible to potential damage from wind, tidal, and storm related events including flooding. New buildings and other structures should be designed and sited to minimize the potential for property damage due to storms or shoreline erosion. The areas of concern are as follows:
 - i) Highly Erodible Areas
 - ii) Coastal High Hazard Areas, including flood plains.
- c. Waterfront Development Areas - These areas are vital to the Commonwealth because of the limited number of areas suitable for waterfront activities. The areas of concern are as follows:
 - i) Commercial Ports
 - ii) Commercial Fishing Piers
 - iii) Community Waterfronts

Although the management of such areas is the responsibility of local government and some regional authorities, designation of these areas as Waterfront Development Areas of Particular Concern (APC) under the VCRMP is encouraged. Designation will allow the use of federal CZMA funds to be used to assist planning for such areas and the implementation of such plans. The VCRMP recognizes two broad classes of priority uses for waterfront development APC:

- i) water access-dependent activities;
- ii) activities significantly enhanced by the waterfront location and complementary to other existing and/or planned activities in a given waterfront area.

Advisory Policies for Shorefront Access Planning and Protection

- a. Virginia Public Beaches - Approximately 25 miles of public beaches are located in the cities, counties, and towns of Virginia exclusive of public beaches on state and federal land. These public shoreline areas will be maintained to allow public access to recreational resources.
- b. Virginia Outdoors Plan - Planning for coastal access is provided by the Department of Conservation and Recreation in cooperation with other state and local government agencies. The Virginia Outdoors Plan (VOP), which is published by the Department, identifies recreational facilities in the Commonwealth that provide recreational access. The VOP also serves to identify future needs of the Commonwealth in relation to the provision of recreational opportunities and shoreline access. Prior to initiating any project, consideration should be given to the proximity of the project site to recreational resources identified in the VOP.
- c. Parks, Natural Areas, and Wildlife Management Areas - Parks, Wildlife Management Areas, and Natural Areas are provided for the recreational pleasure of the citizens of the Commonwealth and the nation by local, state, and federal agencies. The recreational values of these areas should be protected and maintained.
- d. Waterfront Recreational Land Acquisition - It is the policy of the Commonwealth to protect areas, properties, lands, or any estate or interest therein, of scenic beauty, recreational utility, historical interest, or unusual features which may be acquired, preserved, and maintained for the citizens of the Commonwealth.
- e. Waterfront Recreational Facilities - This policy applies to the provision of boat ramps, public landings, and bridges which provide water access to the citizens of the Commonwealth. These facilities shall be designed, constructed, and maintained to provide points of water access when and where practicable.
- f. Waterfront Historic Properties - The Commonwealth has a long history of settlement and development, and much of that history has involved both shorelines and near-shore areas. The protection and preservation of historic shorefront properties is primarily the responsibility of the Department of Historic Resources. Buildings, structures, and sites of historical, architectural, and/or archaeological interest are significant resources for the citizens of the Commonwealth. It is the policy of the Commonwealth and the VCRMP to enhance the protection of buildings, structures, and sites of historical, architectural, and archaeological significance from damage or destruction when practicable.

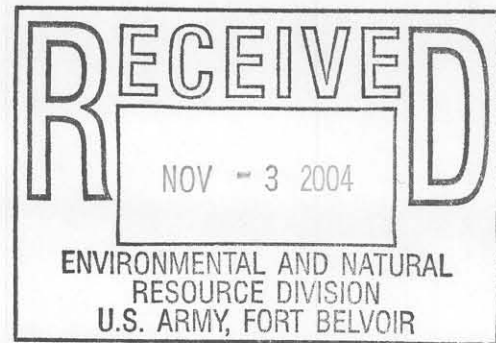


UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

OCT 26 2004

Bill Sanders
Department of the Army
US Army Garrison, Fort Belvoir
Directorate of Public Works
9430 Jackson Loop, Suite 100
Fort Belvoir, Virginia 22060-5116

Attn: Dorothy Keough



Dear Mr. Sanders,

This is in response to an email sent on October 25, 2004 from Glenna Dyott to Julie Crocker of my staff in regards to a proposed dredging project at the Dogue Creek Marina at Garrison Fort Belvoir, Virginia. The US Army is proposing to dredge the marina and access channel to the Potomac River to a depth of six feet below mean low water to restore function to the marina. The proposed project will consist of maintenance dredging of approximately 85,000 cubic yards (CY) of material from the marina basin to the 6 foot contour of the access channel to the Potomac River. The maintenance dredging area is approximately 1.2 miles in length, and water depths currently range from 1 to 3 feet mean low water. The Garrison is currently evaluating the feasibility of on-post upland placement of dredged material and off-post upland placement at Possum Point Power Station in Dumfries, Virginia. A Feasibility Assessment and Environmental Assessment are currently being developed by the US Army.

The federally endangered shortnose sturgeon (*Acipenser brevirostrum*) occurs in the Chesapeake Bay. The National Marine Fisheries Service (NOAA Fisheries) recovery plan for this species indicates that shortnose sturgeon found in the Chesapeake Bay and its tributaries, including the Potomac River, are considered part of the Chesapeake Bay population. Welsh *et al.* (1999) summarizes historical and recent evidence of shortnose sturgeon presence in the Chesapeake Bay. The first published account of shortnose sturgeon in the Chesapeake system was an 1876 record from the Potomac River reported in a general list of fishes of Maryland (Uhler and Lugger 1876). Other historical records of shortnose sturgeon in the Chesapeake include: the Potomac River (Smith and Bean 1899), the upper Bay near the mouth of the Susquehanna River in the early 1980's, and the lower Bay near the mouths of the James and Rappahannock rivers in the late 1970's (Dadswell *et al.* 1984). The US Fish and Wildlife Service Reward Program for Atlantic Sturgeon began in 1996. Shortnose sturgeon have been incidentally captured via this program. As of May 2003, fifty-two shortnose sturgeon were reported via the reward program in the Chesapeake Bay and its tributaries – two from the Susquehanna Flats, eight from the Susquehanna River, two in the Bohemia River, six in the Potomac River, one in the Sassafras



River, one in the Elk River, two south of the Bay Bridge near Kent Island, one near Howell Point, one just north of Hoopers Island, and two in Fishing Bay. The remaining shortnose sturgeon were captured in the upper Bay north of Hart-Miller Island. These fish were captured alive in either commercial gillnets, poundnets, fykenets, eel pots, hoop nets, or catfish traps. The six shortnose sturgeon captured in the Potomac River were documented in the following locations: two at the mouth of the river near Ophelia, Virginia (May 3, 2000 and March 26, 2001); one at the mouth of the Saint Mary's River (April 21, 1998); and three at the mouth of the Potomac Creek (May 17, 1996 and March 8, 2002).

The area proposed for dredging is located approximately 27 miles upstream of Potomac Creek, where three shortnose sturgeon have been captured and approximately 20 miles downstream of Little Falls. The best available scientific information indicates that shortnose sturgeon spend most of their lives in their natal rivers and estuaries (NOAA Fisheries 1998). Therefore, sturgeon found in the lower Potomac may reasonably be expected to stay in the Chesapeake Bay area and spawn in the Potomac River. Research on other shortnose sturgeon populations indicates that shortnose sturgeon prefer to spawn in specific habitats that contain areas with high flow and cobble/gravel substrate. The habitat at and below Little Falls is consistent with this preferred spawning habitat. Spawning occurs at water temperatures between 9-18°C, which generally correlates to late March through April in the vicinity of Little Falls. For example, in 2003 water temperatures at Little Falls (USGS gage no. 01646500) reached 9°C on March 17 and reached 18°C on April 30. Pre-spawning adults typically run upstream in the deepest part of a river channel (deeper than 9 feet mean low water) that contains suitable temperatures and dissolved oxygen levels. When water temperatures reach 8°C, typically in mid-March, reproductively active adults are expected to begin their migration upstream to the spawning grounds near Little Falls. Spawning may occur until water temperatures reach 18°C (generally late-April to early-May) after which adults are expected to disperse quickly down river into their summer range. Based on the best available information, NOAA Fisheries believes that the area of the Potomac River where the proposed project is located likely serves as a migration corridor for shortnose sturgeon migrating to and from upriver spawning grounds. As such, adult shortnose sturgeon may be present in the project area from mid-March through early-May, dependent on water temperatures as indicated above.

Shortnose sturgeon have been lethally taken by mechanical, hydraulic pipeline and hydraulic hopper dredge operations. However, due to the shallow depths at the project site it is unlikely that shortnose sturgeon would be directly affected by the proposed dredging operations. Additional information is necessary to evaluate the impacts that this project will have on shortnose sturgeon. Among the necessary information is the following:

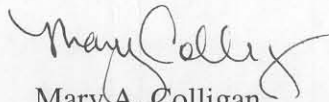
- Type of dredge to be used
- Approximate time frame for dredging (i.e., time of year proposed)
- Duration of project
- Any future maintenance to be authorized at this time.

Section 7(a)(2) of the Endangered Species Act (ESA) of 1973, as amended, states that each Federal agency shall, in consultation with the Secretary, insure that any action they authorize,

fund, or carry out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat. Any discretionary federal action that may affect a listed species must undergo Section 7 consultation. As shortnose sturgeon may be present in the project area, the US Army is responsible for determining whether the proposed action is likely to affect any listed species. The US Army should submit their determination along with a request for concurrence, to the attention of the Endangered Species Coordinator, NOAA Fisheries, Northeast Regional Office, Protected Resources Division, One Blackburn Drive, Gloucester, MA 01930. After reviewing this information, NOAA Fisheries would then be able to conduct a consultation under section 7 of the ESA.

Should you have any questions about these comments or about the section 7 consultation process in general, please contact Julie Crocker at (978)281-9328 ext. 6530.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mary A. Colligan". The signature is fluid and cursive, with the first name "Mary" and last name "Colligan" being the most prominent parts.

Mary A. Colligan
Assistant Regional Administrator
for Protected Resources

Cc: Scida, F/NER3
Nichols, F/NER4

File Code: Sec 7 US Army Potomac River Dredging



COMMONWEALTH of VIRGINIA

W. Tayloe Murphy, Jr.
Secretary of Natural Resources

Marine Resources Commission

*2600 Washington Avenue
Third Floor
Newport News, Virginia 23607*

William A. Pruitt
Commissioner

November 3, 2004

Mr. Bill Sanders, Director
Directorate of Public Works
U.S. Army Garrison, Fort Belvoir
9430 Jackson Loop, Suite 100
Fort Belvoir, Virginia 22060-5116

Re: Dogue Creek Marina
Maintenance Dredging

Dear Mr. Sanders:

This is in reference to your letter, dated October 13, 2004, and the agency scoping meeting held October 20, 2004, requesting comments regarding the proposed maintenance dredging of the Dogue Creek Marina at U.S. Army Garrison, Fort Belvoir in Fairfax County.

Please be advised that the Virginia Marine Resources Commission, pursuant to Section 28.2-1204 of the Code of Virginia, has jurisdiction over any encroachments in, on, under, or over any State-owned bays, rivers, streams, or creeks in the Commonwealth. Accordingly, since several portions of the subject project involves encroachments channelward of mean low water along Dogue Creek, a permit will be required from our agency.

According to the information that has been provided to us at this point, we understand that your proposed project will entail: 1) the relocation of a submerged waterline crossing of the creek to a depth that will facilitate the proposed dredging; 2) the maintenance dredging of approximately 84,000 cubic yards of material, to a depth of six feet below mean low water, from the marina basin and access channel to the Potomac River; and 3) the re-construction of the marina to a yet to be determined configuration that may or may not occupy the existing marina's footprint.

An Agency of the Natural Resources Secretariat

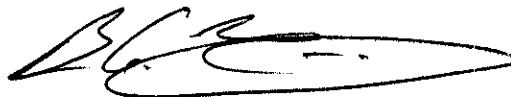
Telephone (757) 247-2200 (757) 247-2292 V/TDD Information and Emergency Hotline 1-800-541-4646 V/TDD

Mr. Bill Sanders, Director
Directorate of Public Works
U.S. Army Garrison, Fort Belvoir
November 3, 2004
Page 2

Review of your letter, supporting documents, and the presentation made at the October 20, 2004, agency scoping meeting, indicates numerous proposed impacts to State-owned submerged lands, over which the Virginia Marine Resources Commission currently exerts jurisdiction. You are encouraged to submit a Joint Permit Application (JPA) to initiate the permitting process through our agency.

Should you have any questions regarding this matter, please feel free to call me at (757) 247-8028, or contact me by email at Ben.McGinnis@mrc.virginia.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ben McGinnis', enclosed within a large, horizontal oval shape.

Benjamin A. McGinnis
Environmental Engineer

BAM/ncp
HM

cc: Fairfax County Wetlands Board
EA Engineering Science and Technology, Inc.

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
U. S. Coast Guard Activities

2401 Hawkins Point Road
Baltimore, MD 21226-1791
Staff Symbol: Ports & Waterways
Phone: (410) 576-2526
Fax: (410) 576-2553
Email: mhammond@actbalt.uscg.mil

16600

NOV 5 2004

MEMORANDUM

From: M. E. Hammond, LCDR
Chief, Ports and Waterways Department
CG ACT Baltimore

Reply to Waterways Management
Branch
Attn of: Mr. Ron Houck
(410) 576-2674

To: Commander, U.S. Army Garrison, Fort Belvoir (Directorate of Public Works)

Subj: PROPOSED MAINTENANCE DREDGING OF DOGUE CREEK

1. This is in response to your letter of September 30, 2004, to Mr. Ron Houck of my staff that requested written comments regarding our agency's area of responsibility for evaluating any potential impacts or environmental concerns regarding the proposed maintenance dredging of Dogue Creek marina and access channel at Garrison For Belvoir, in Fairfax County, Virginia. As found in Title 33 Code of Federal Regulations Part 3.25-15, the area of responsibility for Captain of the Port, Baltimore, Maryland is limited to the Maryland-Virginia boundary along the southern bank of the Potomac River, and does not include this tributary of the Potomac River.

2. Therefore, the Captain of the Port, Hampton Roads, Virginia is the best office to provide the coordination and documentation you requested. Accordingly, I have forwarded your letter to the Captain of the Port, Hampton Roads, Virginia, Lieutenant Erik Wozniak. He can be contacted using the following information:

Commanding Officer
U. S. Coast Guard
Marine Safety Office Hampton Roads
200 Granby Street, Room 700
Norfolk, VA 23510

Phone: 757-668-5561
Fax: 757-668-5600

Email: EWozniak@msohamptonroads.uscg.mil

3. If you have any questions concerning this matter, please feel free to contact Mr. Ron Houck at 410-576-2674 or rlhouck@actbalt.uscg.mil.

#

Copy: CGD FIVE (oan)
MSO Hampton Roads

W. Tayloe Murphy, Jr.
Secretary of Natural
Resources



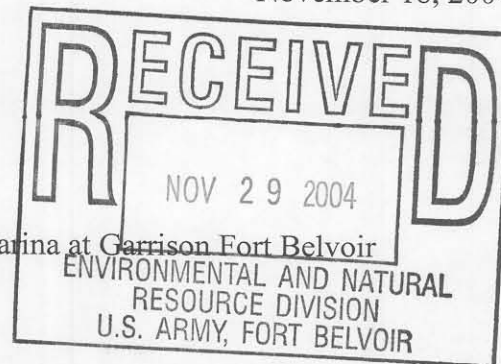
Joseph H. Maroon
Director

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

217 Governor Street
Richmond, Virginia 23219-2010
Telephone (804) 786-7951 FAX (804) 371-2674 TDD (804) 786-2121

Dorothy Keough
U.S. Army Garrison, Fort Belvoir
Environmental and Natural Resources Division
Directorate of Public Works
9430 Jackson Loop
Fort Belvoir, Virginia 22060-5116

November 18, 2004



Re: Proposed Maintenance Dredge of Dogue Creek Marina at Garrison Fort Belvoir

Dear Ms. Keough:

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

According to Chris Hobson, DCR zoologist, Ft. Belvoir biologists have found the wood turtle (*Glyptemys insculpta*, G4/S2/NL/LT) on Accotink Creek just upstream of Poe Road within the last five years. Therefore if the EPG site is used for dredge spoil disposal, to minimize adverse impacts to the aquatic ecosystem DCR recommends the implementation of and strict adherence to erosion and sediment control measures during all land disturbing and dewatering activities associated with the project. DCR also requests copies of the natural resource surveys conducted in June-October of 2004 for the proposed project.

In addition, our files do not indicate the presence of any State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

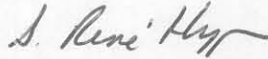
Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Virginia Department of Conservation and Recreation (DCR), DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

New and updated information is continually added to Biotics. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized.

The Virginia Department of Game and Inland Fisheries maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters, that may contain information not documented in this letter. Their database may be accessed from http://www.dgif.virginia.gov/wildlife/info_map/index.html , or contact Shirl Dressler at (804) 367-6913.

Should you have any questions or concerns, feel free to contact me at 804-371-2708. Thank you for the opportunity to comment on this project.

Sincerely,

A handwritten signature in cursive script, reading "S. René Hypes".

S. René Hypes
Project Review Coordinator

CC: Jerry Sims, VDGIF



FAIRFAX COUNTY

DEPARTMENT OF TRANSPORTATION

Suite 1034

12055 Government Center Parkway

Fairfax, Virginia 22035-5511

Telephone (703) 324-1100 Fax (703) 324-1450

V I R G I N I A

December 9, 2004

Mr. Bill Sanders
Director, Directorate of Public Works
Department of the Army
U.S. Army Garrison, Fort Belvoir
9430 Jackson Loop, Suite 100
Fort Belvoir, Virginia 22060-5116

REFERENCE: Fort Belvoir NEPA Documentation Dogue Creek Marina

Dear Mr. ^{Bill}Sanders:

Attached are comments on the environmental impact issues for the above referenced project from Fairfax County's Department of Public Works and Environmental Services, Department of Planning and Zoning, and Park Authority. The Department of Transportation does not have any specific comments related to this project but would like to remain informed as this project moves through the NEPA process so County agencies can be updated.

Should you have any questions, please contact Mark Canale at (703) 324-1177.

Sincerely,

Katharine D. Ichter, P.E.
Chief, Transportation Planning and Operations
Division

KDI/MGC:pcs

Attachments

cc: Mark Canale, Fairfax County Department of Transportation
Charlie Strunk, Fairfax County Department of Transportation
Anthony H. Griffin, Fairfax County Executive

DCMFCDO7 Dec904

116866

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

TO: Katherine D. Ichter, Chief
Transportation Planning and
Operations Division
Department of Transportation

DATE: OCT 26 2004

FROM: Jimmie D. Jenkins, Director
Department of Public Works
and Environmental Services

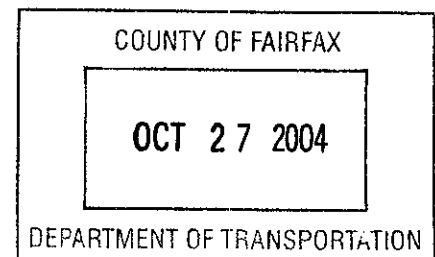


FILE: 19-1

SUBJECT: Your memo dated October 12, 2004, regarding Fort Belvoir NEPA Documentation
Dogue Creek Marina

The Department of Public Works and Environmental Services (DPWES) has the following comments regarding the subject project:

1. The project proposal is too vague to provide detailed comments; we would like the chance to comment on further documentation when it is available.
2. The dredging should not be performed during the spring spawning run for shad and other anadromous fish.
3. Placement alternatives should minimize adverse affects on habitats and other environmental impacts.
4. The dredge spoil should be tested for contaminants and appropriate protective measures included in the final disposal plan.
5. Any upland placement of dredge spoil on the Fort Belvoir property should be done with appropriate erosion and sediment controls in accordance with Chapter 104 (Erosion and Sedimentation Control) of the County Code, the Fairfax County Public Facilities Manual, and the Virginia E & S Handbook.
6. Any upland placement of dredge spoil on the Fort Belvoir site should not be located within 100 feet of any perennial stream and its contiguous wetlands. Such areas would be considered Resource Protection Areas under 9 VAC 10-20 (Chesapeake Bay Preservation Area Designation and Management Areas) and Chapter 118 (Chesapeake Bay Preservation Ordinance) of the County Code. Preferably, upland placement of dredge spoil also should not be located within 100 feet of any intermittent headwater stream.



Katherine D. Ichter
Fort Belvoir, NEPA Documentation, Dogue Creek Marina
Page 2

7. Consideration should be given to potential beneficial uses of dredged spoils that are environmentally friendly (i.e. bank/shoreline stabilization, and wetland creation).
8. Placement of dredge spoil on the Fort Belvoir property should not alter natural drainage divides.

Attachments

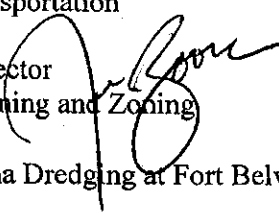
cc: John Friedman, Land Development Services, Department of Public Works and
Environmental Services
Young Ho Chang, P.E. Director, Department of Transportation (DOT)
Leonard Wolfenstein, Chief, Transportation Planning Branch, DOT

G Mark Canale

COUNTY OF FAIRFAX, VIRGINIA

MEMORANDUM

TO: Katherine D. Ichter, Chief
Transportation Planning and Operations Division
Department of Transportation

FROM: James P. Zook, Director 
Department of Planning and Zoning

SUBJECT: Dogue Creek Marina Dredging at Fort Belvoir

DATE: November 4, 2004

This memorandum transmits the Department of Planning and Zoning (DPZ) comments on the proposed maintenance dredging of Dogue Creek Marina at Fort Belvoir. Our comments are based upon information presented by Fort Belvoir staff at its October 20, 2004 "scoping" meeting. As the staff liaison to the Wetlands Board, Mary Ann Welton of my staff attended this meeting and focused on the identification of any potential Wetlands Board jurisdictional issues with respect to the proposed project.

Fort Belvoir staff presented preliminary details on the proposed maintenance dredging project at the scoping meeting. For your information, a copy of the presentation slides is included as an attachment. Approximately 1.2 miles of Dogue Creek channel is proposed to be dredged, including the marina area. Presently, the water depth in the channel ranges between 1 and 3 feet with a proposed channel depth of minus 6 feet after the dredging. The placement of the dredge spoil is an important unresolved issue. Fort Belvoir's preferred alternative is to transport the dredge spoil (84,000 – 85,000 cubic yards) by barge to a disposal site at Virginia Dominion Power's Possum Point facility in Prince William County. The alternative location for the dredge spoil disposal is at Fort Belvoir's Engineering Proving Ground (EPG). This alternative would involve dump trucks transporting the dredge spoil from Dogue Creek tidal shoreline to various sites (45 acres cumulatively) located at EPG. EPG is traversed by a tributary of Lake Accotink and contains a large Resource Protection Area as defined under the Chesapeake Bay Preservation Ordinance. Hence, the EPG alternative raises general concerns regarding potential tidal wetland disturbance in the staging and loading of the dredge material along the Dogue Creek tidal shoreline and potential water quality impacts on streams surrounding the proposed EPG disposal sites. Specific concerns cannot be identified at this point without additional details on the project. We would appreciate the opportunity to review and comment on any additional documentation for this project.

In addition to the proposed maintenance dredging, the existing 100-slip Dogue Creek Marina is proposed to be replaced and enlarged. The proposed marina replacement may be subject to Wetlands Board's review and approval, as would the potential staging area of the dredge spoil

Katherine D. Ichter
Page Two

transfer to trucks along Dogue Creek tidal shoreline if the EPG disposal site were to be chosen. Any placement of the dredge spoil on the EPG site should not be located within a Resource Protection Area or Environmental Quality Corridor as defined under Objective 9 of the Environment element of the County's Policy Plan.

Based upon a review of the preliminary information, DPZ staff supports Fort Belvoir's preferred alternative to send the dredge spoil by barge to an established disposal facility at Virginia Dominion Power's Possum Point facility. The preferred alternative appears to raise fewer environmental issues than the EPG alternative.

If you have any questions concerning our comments, please feel free to contact Mary Ann Welton at extension 41210.

JPZ:MAW

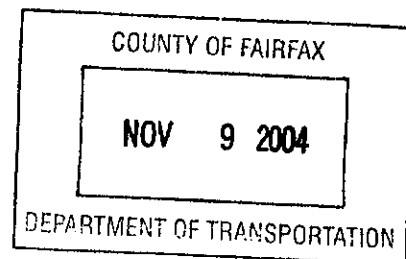
Attachment: a/s

cc:

Pamela G. Nee, DPZ

Mary Ann Welton, DPZ

Mark Canale, DOT






FAIRFAX COUNTY PARK AUTHORITY

MEMORANDUM



TO: Katherine D. Ichter, Chief
Transportation Planning and Operations Division
Department of Transportation

FROM: Michael A. Kane, Director 

DATE: October 26, 2004

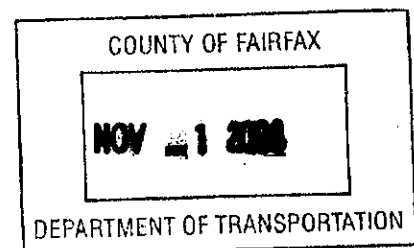
SUBJECT: Fort Belvoir NEPA Documentation Dogue Creek Marina

In response to your memo date October 12, 2004, please find attached our comments previously provided to Bill Sanders, Director of the Directorate of Public Works. His office directly contacted us requesting review of their activities. This project will have no impact on Park Authority land or facilities.

Thank you for requesting and coordinating our review of this proposal.

Attachment

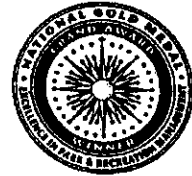
cc: Tim White, Deputy Director
Lynn Tadlock, Director, Planning and Development Division





FAIRFAX COUNTY PARK AUTHORITY

M E M O R A N D U M



October 22, 2004

Bill Sanders, Director
U.S. Army Garrison, Fort Belvoir
Directorate of Public Works
9430 Jackson Loop, Suite 100
Fort Belvoir, Virginia 22060

RE: Dogue Creek Project

Mr. Sanders:

Thank you for the opportunity to comment on the proposed dredging of Dogue Creek. The Fairfax County Park Authority has reviewed the information provided by the Directorate of Public Work. This project will have no impact on Park Authority land or facilities land.

Sincerely,

A handwritten signature in black ink, appearing to read "L. S. Tadlock".

Lynn S. Tadlock
Director, Planning and Development Division
Fairfax County Park Authority

cc: Cindy Messinger, Director, Resource Management Division
Sandy Stallman, Long Range Planner, Park Planning Branch



DEPARTMENT OF THE ARMY
U. S. ARMY GARRISON, FORT BELVOIR
DIRECTORATE OF PUBLIC WORKS
9430 JACKSON LOOP, SUITE 100
FORT BELVOIR, VIRGINIA 22060-5116

REPLY TO
ATTENTION OF

December 9, 2004

Julie Crocker
Endangered Species Coordinator
NOAA Fisheries
Northeast Regional Office
Protected Resources Division
One Blackburn Drive
Gloucester, MA 01930

Dear Ms. Crocker:

In a letter dated September 30, 2004, Fort Belvoir initiated Section 7 consultation with US Fish and Wildlife Service and National Marine Fisheries Service (NMFS) for a project to dredge the Fort Belvoir marina (Dogue Creek Marina) and approximately 1.2 miles of the Dogue Creek channel down to the Potomac River. In a letter dated October 26, 2004, Ms Colligan of NMFS requested that the Army submit a determination of whether the proposed action would affect the federally endangered shortnose sturgeon (*Acipenser brevirostrum*). The letter indicated that shortnose sturgeon are not known to be present in Dogue Creek, but that NOAA Fisheries believes they may be present in the overall project area from mid-March through early May as they migrate to and from upriver spawning grounds.

Fort Belvoir is located in southeastern Fairfax County, Virginia (Figure 1). Dogue Creek is a tributary to the Potomac River, and is approximately 8.5 miles south of the Woodrow Wilson Bridge. Dredging of the marina basin and channel (Figure 2) will occur within a narrow time period (to be negotiated with the resource agencies and specified in the permits to be obtained from the Virginia Marine Resources Commission (VMRC) and the U.S. Army Corps of Engineers, Baltimore District.) Although the exact dates of this time period have not yet been established, dredging will begin no sooner than September 15, 2005, and end no later than February 28, 2006. Dredging will not occur, therefore, during the period when the sturgeon may be present in the Potomac River migration corridor. Mechanical dredging will be used, and dredged material will be placed at an approved upland location. Although maintenance dredging may be necessary again some time in the future, there are no plans for additional future dredging at this time, and none is expected in the near term. It has been more than 30 years since the marina and channel were last dredged.

As described in a scoping meeting with personnel from various resource agencies on October 20 and 26, 2004, Fort Belvoir will undertake an ancillary project to replace an existing 10-inch water line under Dogue Creek that is currently too shallow to allow for the dredging. (The maintenance dredging activity within Dogue Creek will remove material up to a depth of approximately six feet, and the existing water line lies at a depth between five and six feet.) The proposed water line replacement project will consist of decommissioning the existing water line

"EXCELLENCE THROUGH SERVICE"

DCM Sect 7 FWS Dec 9 04

Printed on



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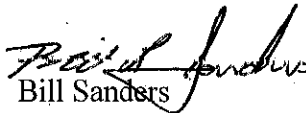
and using horizontal directional drilling (HDD) to install a new 10-inch water line at a greater depth in the same location as the existing waterline. For HDD, two staging areas will be located on upland areas on either side of Dogue Creek—one on the marina property and the other on the opposite shore, also on Fort Belvoir property (Figure 3). Each staging area will be placed in a previously disturbed area and each staging area will occupy less than 5,000 square feet. With HDD, the water line pathway is drilled at an angle from one staging area underground to the desired depth, under the creek, and back up to the staging area on the opposite shore. The new waterline will then be installed through the drilled pathway. No disturbance of the channel will occur from this project, and sediment and erosion control measures will be implemented at the project site. The water line replacement project will be completed in approximately four to six weeks, with construction scheduled to begin in July 2005. Once water line construction is finished, there will be no further disturbance from operation of the underground water line.

As the existing marina structures will be removed from the water for the dredging project, Fort Belvoir also intends to replace those structures in-kind, as described at the October 20 and 26, 2004 agency scoping meeting. Fort Belvoir plans to replace the existing floating piers, travel lift pier, and bulkheads in the same location and configuration as at present, and restore the shoreline revetment. The final schedule for installation of the replacement structures has not yet been established, but construction windows will be specified in the permits obtained from VMRC and the Corps for this project. At a minimum, in-water (i.e., the below the channel bed) construction will not occur from mid-March through mid-May during the shortnose sturgeon migration season.

In summary, the proposed projects to dredge the Fort Belvoir marina and Dogue Creek channel; to replace marina piling, pier and bulkhead structures; and, to replace place a water line under Dogue Creek will not occur during the time of year when shortnose sturgeon may be present in Dogue Creek or in the Potomac River migration corridor. Therefore, the U.S. Army has determined that there will be no effects on shortnose sturgeon from these projects, and we request your concurrence in that determination.

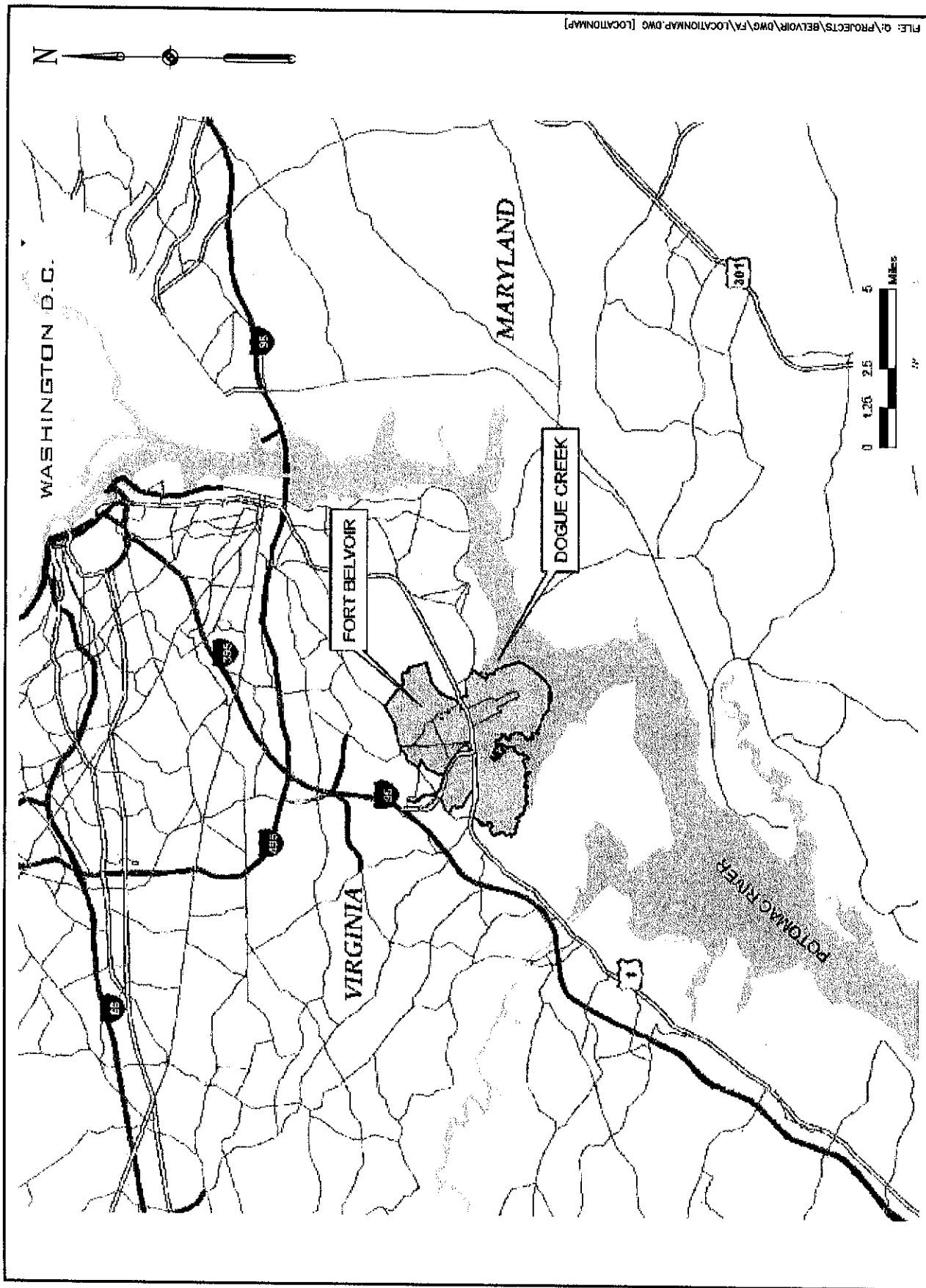
If you have any questions regarding this letter, please contact Ms. Dorothy Keough at (703) 806-0049, or at keoughd@belvoir.army.mil.

Sincerely,


Bill Sanders
Director

Enclosures

Copy furnished: John Nichols, NMFS



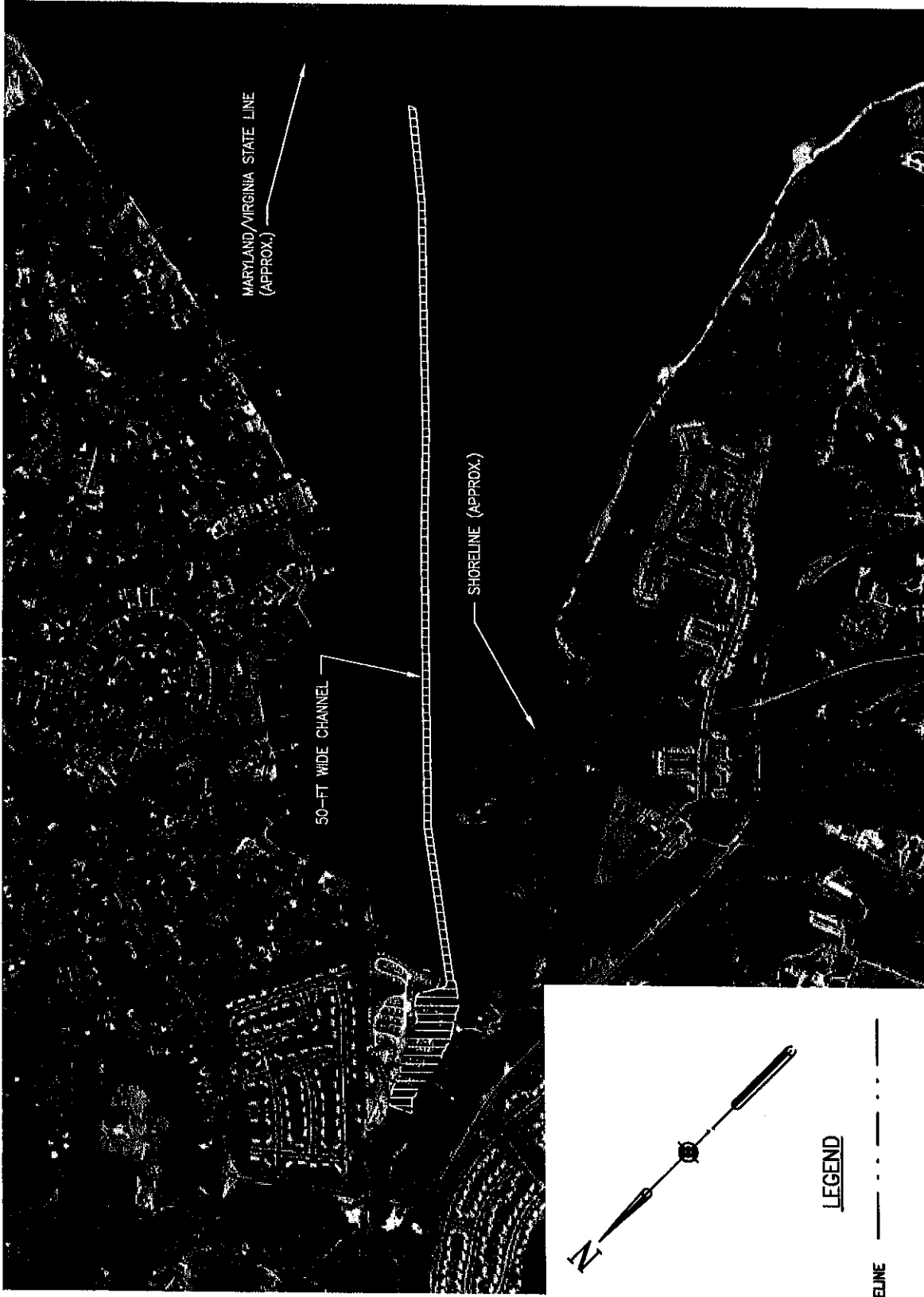
FILE: Q:\PROJECTS\BELVOIR\DWG\FA\LOCATIONMAP.DWG [LOCATIONMAP]

FIGURE 1 LOCATION MAP

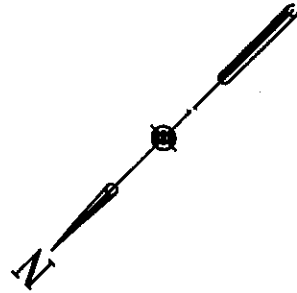




FIGURE 2 DOGUE CREEK MAINTENANCE DREDGING AREA FROM MARINA TO POTOMAC RIVER



FILE: (LOVETON) D:\PROJECTS\BELVOIR\DWG\DREDGING\BATHY.DWG [FIGURE 2]

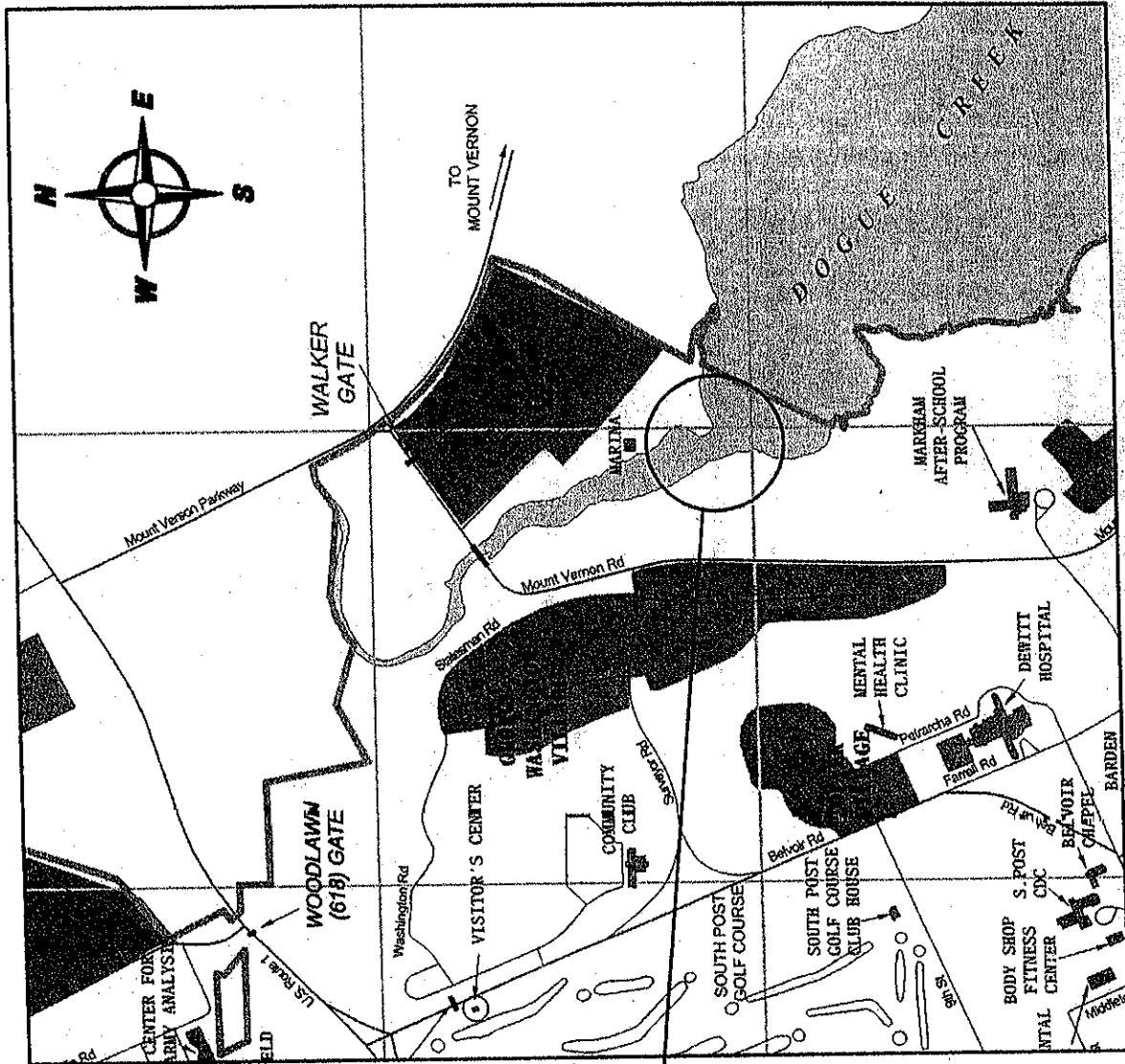


LEGEND

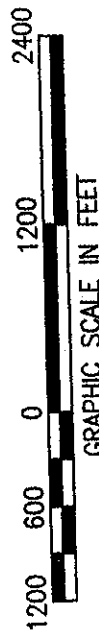
SHORELINE — — — — —



GRAPHIC SCALE IN FEET



LOCATION MAP



Waterline
Replacement
12/9/04

Figure 3

SEAL

REVISIONS

DESCRIPTION

BY

DATE

NO.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
6669 Short Lane
Gloucester, VA 23061



December 20, 2004

Mr. Bill Sanders
U.S. Army Garrison, Fort Belvoir
Directorate of Public Works and Logistics
9430 Jackson Loop Road, Suite 100
Fort Belvoir, Virginia 22060-5116

Re: Dogue Creek Water Line, Project #
sec7-3483, Fort Belvoir, Fairfax
County, Virginia

Dear Mr. Sanders:

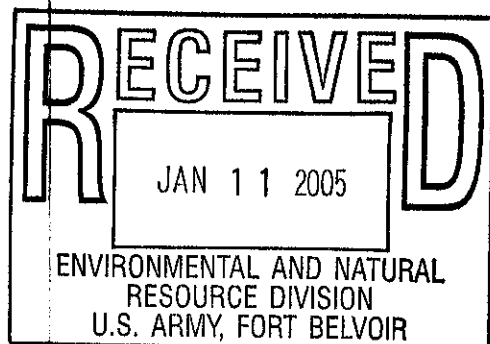
The U.S. Fish and Wildlife Service (Service) received Fort Belvoir's December 9, 2004 letter regarding a water line replacement at the Dogue Creek Marina at Fort Belvoir, Fairfax County, Virginia. The Service provides the following comments under provisions of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*), the Bald and Golden Eagle Protection Act (BGEPA) of 1940 (16 U.S.C. 668-668d).

Fort Belvoir proposes to use horizontal directional drilling to install a new 10-inch water line at the same location, but deeper depth, across Dogue Creek. The deeper depth is necessary prior to the future marina dredging project. While the waterline proposal is related to the marina dredging, replacing the waterline has independent utility. Bald eagles (*Haliaeetus leucocephalus*), federally listed threatened, may be present within the project area for roosting, foraging, and mate selection year round. There are no eagle nests within ½ mile of the project area. Due to the construction method, no impacts to submerged aquatic vegetation is anticipated. The Service believes the proposed action is not likely to adversely affect federally listed species.

If you have any questions, please contact Mr. Eric Davis at (804) 693-6694, extension 104.

Sincerely,

Karen L. Mayne
Supervisor
Virginia Field Office



U.S. Department of
Homeland Security

United States
Coast Guard



Commanding Officer
United States Coast Guard
Marine Safety Office Hampton Roads

200 Granby Street, Suite 700
Norfolk, VA 23510-1888
Staff Symbol: PSFC
Phone: (757) 668-5560
Fax: (757) 668-5605

11460
14 Dec 2004

MEMORANDUM

From: 
C. S. Cross, CDR
Chief, Operations Prevention Department
CG MSO Hampton Roads

Reply to: Port Safety & Facility
Compliance
Attn of: LT Erik Wozniak

To: Commander, U.S. Army Garrison, Fort Belvoir (Directorate of Public Works)

Subj: PROPOSED MAINTENANCE DREDGING OF DOGUE CREEK

1. This is in response to your letter of September 30, 2004 requesting comments on the proposed maintenance-dredging project for Dogue Creek Marina at U.S. Army Garrison Fort Belvoir, Virginia.

2. Since Dogue Creek is used primarily by privately owned recreational vessels, I do not anticipate that the proposed dredging project will cause any significant disruptions to commercial vessel traffic. Be advised, however, that the U.S. Coast Guard requires 45 days notice before moving any existing federal aids to navigation in the dredged area. If these aids are moved without the Coast Guard's approval and become damaged, you may incur liability. I recommend you review Title 33 Code of Federal Regulations (CFR), Part 62 for information concerning the U.S. Aids to Navigation System, and Part 66 for regulations on private aids. If you have any questions concerning aids to navigation, please contact Mr. Albert Grimes of the District 5 Aids to Navigation & Waterways staff at (757) 398-6360.

3. If you haven't done so already, I also recommend you review the U.S. Army Corps of Engineers' requirements regarding dredging permits. These can be found in 33 CFR Parts 320 through 329.

4. If you have any questions, please contact LT Erik Wozniak at (757) 668-5561 or ENS Stephanie Forbes at (757) 668-5557.

#

Copy: CGD5 (oan)

DCM USCG Dec 14 04

David A. Heacock
Vice President
Fossil & Hydro

Dominion Generation
Innsbrook Technical Center
5000 Dominion Boulevard, Glen Allen, VA 23060



January 3, 2005

Mr. Thomas Faha
Regional Water Permits Manager
Northern Virginia Regional Office
Department of Environmental Quality
13901 Crown Court
Woodbridge, VA 22193

**POSSUM POINT POWER STATION - VPDES PERMIT NO. VA0002071
PROPOSED PLACEMENT OF DOGUE CREEK DREDGE SPOIL IN ASH POND D**

Dear Mr. Faha:

Dominion proposes to authorize placement of dredge spoil from Dogue Creek into Ash Pond D at Possum Point Power Station. The dredge spoil is bottom sediment from the tidal Dogue Creek at the U.S. Army Garrison, Fort Belvoir, which will be dredged to maintain the navigation channel in the waterway. A September 27, 2004 Letter of Interest from the Department of the Army, Fort Belvoir describing the project is attached. Please note that the Department of the Army has advised Dominion that this is a tentative project at this time and that other dredge spoil disposal sites are concurrently under consideration.

Consistent with our dredge spoil placement protocol incorporated as Section E.11 of the subject VPDES permit, the following information relating to the dredge and placement project is provided:

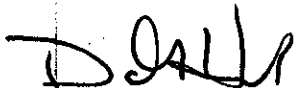
1. *Original location of dredged material:*
Dogue Creek Marina and channel at Fort Belvoir
N 38° 70' 51" W 77° 12' 87"
2. *Type and volume of dredged material:*
Mechanically dredged sediment from tidal waters
Approximate volume – 85,000 yds³
3. *TCLP test results on representative sample of dredge material:* Sediment samples were collected in June 2004. See the analytical summary sheets in the attached USACE letter. The analytical results confirm that the material is not a RCRA hazardous waste.
4. *Attached copies of permits and regulatory authorizations for dredge project:*

The Department of the Army is engaged in the permitting process and will obtain all required authorizations to complete the project. Pursuant to this pre-notification submittal, the Department of the Army is seeking to determine if any regulatory barriers to Ash Pond D spoil placement exist prior to contracting and implementation of the dredge project. Accordingly, we are forwarding the relevant information herein for review by your office. Dominion has advised the Department of the Army that the spoil material may be placed in Ash Pond D contingent upon concerns, if any, raised by your office regarding this activity.

5. *Method of placement:*
Spoil will be placed into barges, transported to the Possum Point Power Station oil dock, transferred into sealed-bed trucks, transported to Possum Point Power Station via public roads, and off-loaded into Ash Pond D.
6. *Placement Schedule:* Spoil placement in Ash Pond D will not occur until the permitted dredging period begins in late 2005.
7. *Dredge Contractor:*
The U.S. Army Corps of Engineers, Baltimore District, will coordinate the dredging and placement activities for the Fort Belvoir Garrison. The specific dredging contractor has not been selected.

Thank you for reviewing the information herein and advising us of the placement suitability of the spoil in Ash Pond D. If you desire additional information or have any questions, please contact Bob Williams at (804) 273-2994.

Sincerely,

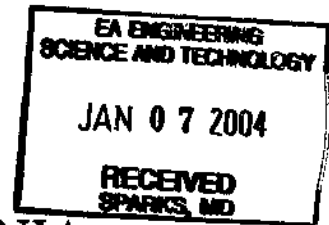


David A. Heacock

Attachments

Cc w/attachments: Ms. Christine Trinh
Northern Virginia Regional Office
Department of Environmental Quality
13901 Crown Court
Woodbridge, VA 22193

Mr. Bill Saunders, Director
U.S. Army Garrison, Fort Belvoir
Directorate of Public Works
9430 Jackson Loop, Suite 100
Fort Belvoir, VA 22060-5116



COMMONWEALTH of VIRGINIA

W. Tayloe Murphy, Jr.
Secretary of Natural Resources

Department of Game and Inland Fisheries

William L. Woodfin, Jr.
Director

January 5, 2005

Mary Alice Koeneké
Ecologist
EA Engineering, Science, and Technology
15 Loveton Circle
Sparks, Maryland 21152

RE: ESSLOG #20098, Bald eagle information for Potomac/Fort Belvoir dredge project

Dear Ms. Koeneké:

This letter is in response to your request for information related to the presence of threatened or endangered species in the vicinity of the above referenced project.

The *state threatened* wood turtle (*Clemmys insculpta*) has been confirmed within a two-mile radius of Dogue Creek. The applicant should coordinate with this Department (Andrew Zadnik, 804-367-2733) regarding potential impacts to this species.

In addition, the *state special concern* bridle shiner (*Notropis bifrenatus*) and mourning warbler (*Oporornis philadelphia*) have also been documented in this project area. *State special concern* is not a legal designation, and no coordination is necessary at this time.

In addition, the following reaches have been designated *confirmed anadromous fish use areas*. The Potomac River and the Occoquan River each contain documented occurrences of the following anadromous species: alewife (*Alosa pseudoharengus*), American shad (*A. sapidissima*), blueback herring (*A. aestivalis*), hickory shad (*A. mediocris*), striped bass (*Morone saxatilis*), and yellow perch (*Perca flavescens*). Dogue Creek contains documented occurrences of alewife, blueback herring, striped bass, and yellow perch. Pohick Creek contains documented occurrences of alewife, blueback herring, and yellow perch. Powell's Creek contains documented occurrences of striped bass and yellow perch. Accotink Creek contains documented occurrences of alewife and yellow perch. Neabsco Creek contains documented occurrences of striped bass. Finally, Little Hunting Creek has been designated a Potential Anadromous Fish Use Area. The applicant should coordinate with this Department (Andrew Zadnik, 804-367-2733) regarding potential impacts to these resources.

Finally, you requested information regarding bald eagle (*Haliaeetus leucocephalus*) nests and concentration areas along the Potomac River. Only one documented concentration zone occurs on the Potomac, which occurs on Mason Neck State Park. However, as we discussed, concentration zones have not been updated recently and there may be other concentration areas on this portion of the Potomac.

The following nests occur along the Potomac shoreline from Fort Washington to Possum Point. Included below are the nest number, general location, and productivity information for the years 1998-2001 and 2004. The applicant should coordinate with this Department (Andrew Zadnik, 804-367-2733) and the U.S. Fish and Wildlife Service (804-693-6694) regarding potential impacts to these resources. "NC" = nest not checked; "Occupied" = territory occupied but nest not confirmed active; "Active" = nest active but results unknown.

Nest	Location	Productivity (number of young fledged)				
		1998	1999	2000	2001	2004
FF-92-01	Mount Vernon	-	-	-	2	NC
FF-04-01	Dogue Creek	-	-	-	-	Occupied
FF-03-01	Dogue Creek	-	-	-	-	1
FF-94-01	Gunston Manor	2	2	2	3	2
FF-96-01	Mason Neck NWR	1	0	2	2	3
FF-04-04	Mason Neck	-	-	-	-	Active
FF-04-03	Mason Neck	-	-	-	-	1
FF-02-01	Mason Neck	-	-	-	-	3
FF-01-02	Mason Neck	-	-	-	3	3
FF-96-02	Mason Neck SP	1	1	1	1	Active
FF-00-02	Belmont Park	-	-	-	0	0
PW-99-01	Powell's Creek	-	2	3	2	2
PW-98-01	Neabsco Creek	1	0	2	2	2
PW-03-01	Possum Nose	-	-	-	-	2
PW-99-02	Possum Nose	-	2	1	3	1
PW-02-01	Possum Point	-	-	-	-	2
Total Active Nests		4	6	6	9	14
Total Fledged		5	7	11	18	22
Mean Fledged		1.25	1.17	1.83	2	1.83

Information about fish and wildlife species was generated from our agency's computerized Fish and Wildlife Information System, which describes animals that are known or may occur in a particular geographic area. Field surveys may be necessary to determine the presence or absence of some of these species on or near the proposed area. Also, additional sensitive animal species

Mary Alice Koencke
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may be present, but their presence has not been documented in our information system.

Endangered plants and insects are under the jurisdiction of the Virginia Department of Agriculture and Consumer Services, Bureau of Plant Protection. Questions concerning sensitive plant and insect species occurring at the project site should be directed to Keith Tignor at (804) 786-3515.

There is a processing charge of \$90.00 for our response. Please remit a check, made payable to **TREASURER OF VIRGINIA**, within 30 days. To insure proper credit to your account, please address your payment envelope directly to MaryBeth Murr at the address listed in the letterhead.

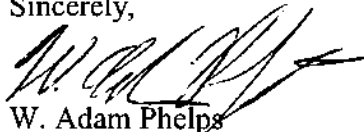
This letter summarizes the likelihood of the occurrence of endangered or threatened animal species at the project site. If you have additional questions in this regard, please contact me at (804) 367-8001. Please note that this response does not address any other environmental concerns; these issues are analyzed by our Environmental Services Section, in conjunction with interagency review of applications for state and federal permits. If you have any questions in this regard, please contact Andrew Zadnik at (804) 367-2733.

Please note that the data used to develop this response are continually updated. Therefore, if significant changes are made to your project or if the project has not begun within 6 months of receiving this letter, then the applicant should request a new review of our data.

The Fish and Wildlife Information Service, the system of databases used to provide the information in this letter, can now be accessed via the Internet! The Service currently provides access to current and comprehensive information about all of Virginia's fish and wildlife resources, including those listed as threatened, endangered, or special concern; colonial birds; waterfowl; trout streams; and all wildlife. Users can choose a geographic location and generate a report of species known or likely to occur around that point. From our main web page, at www.dgif.virginia.gov, choose the hyperlinks to "Wildlife" then "Wildlife Information and Mapping Services", and then "Virginia Fish and Wildlife Information Service". For more information about the service, please contact Shirl Dressler at (804) 367-6913.

Thank you for your interest in the wildlife resources of Virginia.

Sincerely,



W. Adam Phelps
Wildlife Biologist

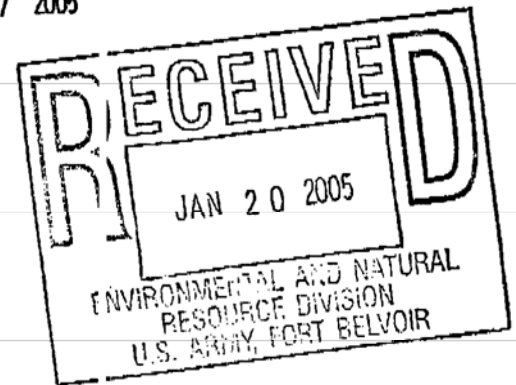
cc: R.T. Fernald and Jeff Cooper, VDGIF; Eric Davis, USFWS; Rene Hypes, DCR-DNH



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

Bill Sanders
Department of the Army
US Army Garrison, Fort Belvoir
Directorate of Public Works
9430 Jackson Loop, Suite 100
Fort Belvoir, Virginia 22060-5116

JAN -7 2005



Attn: Dorothy Kcough

Dear Mr. Sanders,

This is in response to your letter dated December 9, 2004 requesting consultation pursuant to Section 7 of the Endangered Species Act (ESA) of 1973, as amended, for a proposed project to dredge the Fort Belvoir marina (Dogue Creek Marine) and approximately 1.2 miles of the Dogue Creek Channel down to the Potomac River. Dogue Creek is a tributary to the Potomac River and is approximately 8.5 miles south of the Woodrow Wilson Bridge. Dredging of the marine basin and channel will occur during a narrow time period, and although not definite, the dates for this project are outlined to begin no sooner than September 15, 2005 and end no later than February 28, 2006. The US Army Garrison, Fort Belvoir has made a preliminary determination that this project will have no effect on any species listed under the jurisdiction of the National Marine Fisheries Service.

As mentioned in our letter dated October 26, 2004, the federally endangered shortnose sturgeon (*Acipenser brevirostrum*) occurs in the Chesapeake Bay. Shortnose sturgeon found in the Chesapeake Bay and its tributaries, including the Potomac River, are considered part of the Chesapeake Bay population. The area proposed for dredging is located approximately 27 miles upstream of Potomac Creek, where three shortnose sturgeon have been captured and approximately 20 miles downstream of Little Falls, the suspected spawning area and likely upstream limit of shortnose sturgeon in the Potomac.

The best available scientific information indicates that shortnose sturgeon spend most of their lives in their natal rivers and estuaries (NOAA Fisheries 1998). Therefore, sturgeon found in the lower Potomac may reasonably be expected to stay in the Chesapeake Bay area and spawn in the Potomac River. Spawning occurs at water temperatures between 9-18°C which generally correlates to late March through April in the vicinity of Little Falls. For example, in 2003 water temperatures at Little Falls (USGS gage no. 01646500) reached 9°C on March 17 and reached 18°C on April 30. Based on the best available information, NOAA Fisheries believes that the area of the Potomac River where the proposed project is located likely serves as a migration corridor for shortnose sturgeon migrating to and from upriver spawning grounds. As such, adult

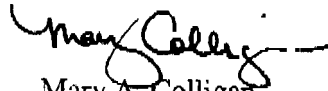


shortnose sturgeon may be present in the project area from mid-March through early-May, dependent on water temperatures as indicated above. Shortnose sturgeon would not be expected to occur in the project area during the proposed time frame for this project and as such would not be affected by the proposed dredging.

The finding that the proposed project will have no effect on shortnose sturgeon is supported by the information provided by Department of the Army and NOAA Fisheries has no additional information that supports a different conclusion. As Section 7 consultation is only required when an action may affect threatened or endangered species, no consultation pursuant to Section 7 of the ESA is necessary for this dredging project. Should project plans change or new information become available that changes the basis for this determination, consultation should be initiated.

Should you have any questions about these comments, please contact Sarah McNulty at (978) 281-9328 ext. 6520.

Sincerely,



Mary A. Colligan
Assistant Regional Administrator
for Protected Resources

Cc: Nichols, F/NER4

File Code: Sec 7 Army, Fort Belvoir - Dogue Creek Marina



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

W. Tayloe Murphy, Jr.
Secretary of Natural Resources

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Robert G. Burnley
Director

Jeffery A. Steers
Regional Director

January 21, 2005

Virginia Electric and Power Company
Attn: Bob Williams, Environmental Consultant
5000 Dominion Boulevard
Richmond, VA 23060

**Re: Possum Point Power Station -VPDES Permit No. VA0002071
Proposed Placement of Occoquan River Dredge Spoil and Dogue Creek Dredge
Spoil in Ash Pond D**

Dear Mr. Williams:

Consistent with Section E. Other Requirements in VPDES Permit No. VA0002071, The Department of Environmental Quality (DEQ) has approved the subject proposed dredge placements.

If you have questions about the permit, please contact Christine Joyce at (703)583-3903, or by E-mail at chjoyce@deq.virginia.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Christine Joyce".

Christine Joyce
Environmental Specialist